

LYNDON CITY COUNCIL  
REGULAR MEETING MINUTES OF  
November 21, 2016

The Lyndon City Council met in regular session on Monday, November 21, 2016, 7:00 p.m., at City Hall.

1. CALL TO ORDER: Mayor Cole called the meeting to order.

- a) City Clerk called roll of the City Council. Mayor Chris Cole and members Doug Watson, Ryan Kuhn and Steve Morrison present. Bill Patterson and Darin Schmitt absent with notification.

City Staff present: Julie Stutzman, City Clerk; David Wilson, Maintenance Supervisor; and Darrel Manning Chief of Police/Zoning Administrator.

Others Present: Tammy Schlingmann, Osage Herald Chronicle; Chelsea Morris, USDA; and Bruce Boettcher, BG Consultants (7:10).

2. USDA PUBLIC MEETING ON INTENT TO FILE APPLICATION: Mayor Cole opened the floor to the public for comments or concerns on the City's intent to file application with USDA for sewer project. Mrs. Morris with USDA briefly spoke with Council about the application process and items under review such as operation and maintenance costs, user rates, etc. As there were no other discussions or concerns, Mayor Cole closed public comments.

3. ADOPTION OF MINUTES OF PREVIOUS MEETINGS:

- a) Kuhn made the motion to approve the regular meeting minutes of November 7, 2016 as written. Watson seconded, motion carried.

4. CONSENT AGENDA:

- a) Approval of Bills: Watson made the motion to approve the bills as set forth. Morrison seconded, motion carried.

5. PUBLIC COMMENTS: None.

6. CORRESPONDENCE TO COUNCIL:

- Copy of letter from Rod Geisler with KDHE stating the Fiscal Sustainability Plan submitted by the City was accepted as to content and scope.

7. UNFINISHED BUSINESS:

- a) LAND ACQUISITION, GEOLOGY, ARCHEOLOGY: Bruce Boettcher with BG Consultants provided wastewater project updates and a copy of the project timeline. Mr. Boettcher requested a meeting with Council the week of December 12th to discuss updated cost estimates and the scope for wastewater line work.

Mr. Boettcher stated the appraisals and review appraisals have been completed on the properties and the next step is site selection and geological testing on that site.

He stated he has a proposal for the geological testing for Council to review. Mr. Boettcher stated archeological testing for the selected site will be part of the environmental report.

Morrison made the motion to recess to executive session for 20 minutes for discussion prior to acquisition of real estate with the City Attorney and Bruce Boettcher attending. Watson seconded, motion carried. Council reconvened with no binding action taken on acquisition of real estate and Morrison making the motion to authorize the Mayor to sign the Cost and Effectiveness form prepared by BG Consultants. Watson seconded, motion carried.

- b) KDHE LOAN AGREEMENT: Tabled until the December 5th meeting.
- c) COST AND EFFECTIVENESS CERTIFICATION: See executive session motion above.
- d) RFP FOR AUDIT/BUDGET SERVICES: The Council received a copy of the Request for Proposal for annual audit and budget services for review. The City Attorney stated that budget consultation was added to the proposal for assistance in preparing the annual budget. It was consensus of the Council to proceed with sending out the request. The City Clerk stated the proposal will be sent out tomorrow to at least three companies, due back to the City by December 19th at 3 p.m. and selection by the January 3, 2017 meeting.
- e) ORDINANCE NO. 816 - REZONE OF PROPERTY: Watson made the motion to approve and authorize the Mayor to sign Ordinance No. 816 to rezone property on 6th Street, Block 19 from C-2 to R-1 multi-family dwelling. Kuhn seconded, motion carried.
- f) SIDEWALK ON W 9TH AND ADAMS STREET: The Maintenance Supervisor provided Council with pictures of the sidewalk discussed at the previous meeting on West 9th and Adam Streets. After a lengthy discussion with the Maintenance Supervisor about the current ordinance, evaluation process and restoration of the area after removal, it was consensus of the Council to table the matter pending written request from the owner of the property. The City Attorney stated a policy should be written on removal of sidewalks and the City's expectations if removed.

8. NEW BUSINESS:

- a) DRUG FREE OSAGE COUNTY - TOBACCO 21 REQUEST: Teresa Briggs with Drug Free Osage County spoke with Council about considering raising the age to buy tobacco in the City to 21. She provided Council with information about nicotine and other drug use among youth and spoke of their goals to decrease this number by implementing the program. She stated Lyndon is the first community they have approached and will try to implement the program in communities countywide. Currently, 20 communities in the State of Kansas have adopted and implemented the Tobacco 21 program. After a lengthy discussion, it was consensus of the Council to table the matter and Ms. Briggs will provide sample ordinances to the City Clerk to be passed on to the City Attorney to review.

- b) LYNDON REC USE OF COMMUNITY CENTER: The Mayor discussed with the Council the Joint Recreation Commission Director's request to use the Community Center for Rec programs and waive the fee. The proposed class would be free to anyone who wanted to participate. It was consensus of the Council to have the City Attorney and City Clerk work to update the current policy for the Community Center adding the fee exception for Lyndon Rec programs as long as it is at no charge to participants.
- c) FALL TREE PLANTING PROPOSAL, BRAD LOVELESS: The Council received a proposal from Brad Loveless with the Tree Board about Fall planting and removal/replacement of diseased or dying trees in the City. Three trees are planned to be removed and replaced at City Hall and approximately six at Jones Park. After further discussion, Council agreed with the proposed plan. The Maintenance Supervisor stated he was approached by an organization about community service hours and he put them in contact with Mr. Loveless to promote youth involvement.

9. STAFF REPORTS:

- a) POLICE: The Council received a copy of the Officer's Activity report and briefly discussed.

Watson voiced his concern about other emergency agencies responding to calls and their speed through the City.

- b) PLANNING AND ZONING: No report.

- c) PUBLIC WORKS: The Maintenance Supervisor provided Council with the Maintenance Activity report.

The Maintenance Supervisor requested two employees be sent to training sessions in the next couple of weeks for Confined Space Entry and Competent Person for Excavation and Trenching in New Strawn. He stated these need repeated every 2-3 years. He stated it will cost \$100.00 per person per training session. It was consensus of the Council to proceed with registering Scott Culley and Brandon Smith for the training sessions.

- d) CITY CLERK: The Council received a copy of the Clerk's report and discussed briefly.

The City Clerk stated they have started the process on submitting delinquent accounts with CBK. She stated nine accounts were submitted and another nine will be sent in the next couple of weeks.

The City Clerk requested an account to be closed due to the responsible party passing away. Watson made the motion to close the account and remove it from the books. Kuhn seconded, motion carried.

The City Clerk briefly discussed the Pride's decision to possibly move the Community Garden out of the flood plain and asked if Council had any concerns. She stated the garden was flooded 3 times in the last couple of years and worry about the deterioration of the shed. The Maintenance Supervisor encouraged the Pride to have the soil tested at the proposed site stated before moving the garden.

10. COUNCIL/MAYOR COMMENTS AND REPORTS: None.

11. EXECUTIVE SESSION: See agenda item 7a for executive session on discussion prior to the acquisition of real estate.

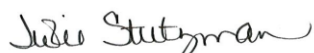
Watson made the motion to recess to executive session for eight minutes for non-elected personnel with the City Attorney and Maintenance Supervisor attending. Morrison seconded, motion carried. Council reconvened with no binding action taken.

Morrison made the motion to recess to executive session for 10 minutes for Attorney-Client privilege with the City Attorney. Watson seconded, motion carried. Council reconvened with no binding action taken.

Watson made the motion to recess to executive session for 5 minutes for non-elected personnel. Morrison seconded, motion carried. Council reconvened with Watson making the motion to authorize wage increases to Brandon Smith for 50 cents and Hannah Miller for 25 cents taking effect January 1, 2017 as both employees completed their probationary period. Morrison seconded, motion carried.

Morrison made the motion to give year-end bonuses in the amount of \$700 to all full-time City employees. Kuhn seconded, motion carried.

12. ADJOURNMENT: Watson made the motion to adjourn to Monday, December 15, 2016, at 7:00 p.m. for regular meeting. Kuhn seconded, motion carried.



City Clerk